UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:	) CASE NO: 10-50188-659 Chapter 13
DIANA SHERL GIER	)
	) Trustee's Objection to Confirmation
	)
	) Original confirmation hearing
Debtor(s)	) set for Oct 28, 2010 11:00 AM

TRUSTEE'S OBJECTION TO CONFIRMATION OF 2ND AMENDED PLAN

COMES NOW John V. LaBarge, Jr., Standing Chapter 13 Trustee, and for his objection to confirmation states as follows:

1. The plan is distributing less to the unsecured creditors than they would receive under Chapter 7 liquidation. 11 U.S.C. Sec. 1325(a)(4)
2. The plan does not provide sufficient funds to pay all creditors entitled to full payment, including fair market value of secured claims and priority debts. 11 USC Secs. 1322(a)(2) & 1325(a)(5)(B)(ii)
3. The plan fails to pay the full attorney fee owed per the 2016(b) form.
4. The plan contains insufficient funds to make the guaranteed repayment to general unsecured creditors.
5. RE #1 PER PARAGRAPH 9A PLAN MUST GUARANTEE $147,716.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

/s/ John V. LaBarge, Jr.

John V LaBarge Jr
Chapter 13 Trustee
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Copy served on the following either through the Court's ECF system or by ordinary mail on January 24, 2011 :

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